



Substitute Senate Bill No. 1010

Public Act No. 05-79

***AN ACT CONCERNING THE INDEMNIFICATION OF MEMBERS OF
THE ARMED FORCES OF THE STATE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 4-165 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No state officer or employee shall be personally liable for damage or injury, not wanton, reckless or malicious, caused in the discharge of his or her duties or within the scope of his or her employment. Any person having a complaint for such damage or injury shall present it as a claim against the state under the provisions of this chapter.

(b) For the purposes of this section, (1) "scope of employment" [shall include,] includes but is not [be] limited to, (A) representation by an attorney appointed by the Public Defender Services Commission as a public defender, assistant public defender or deputy assistant public defender or an attorney appointed by the court as a special assistant public defender of an indigent accused or of a child on a petition of delinquency, (B) representation by such other attorneys, referred to in section 4-141, of state officers and employees in actions brought against such officers and employees in their official and individual

Substitute Senate Bill No. 1010

capacities, (C) the discharge of duties as a trustee of the state employees retirement system, (D) the discharge of duties of a commissioner of the Superior Court hearing small claims matters or acting as a fact-finder, arbitrator or magistrate or acting in any other quasi-judicial position, [and] (E) the discharge of duties of a person appointed to a committee established by law for the purpose of rendering services to the Judicial Department, including, but not limited to, the Legal Specialization Screening Committee, the State-Wide Grievance Committee, the Client Security Fund Committee, the advisory committee appointed pursuant to section 51-81d and the State Bar Examining Committee, and (F) military duty performed by the armed forces of the state while under state active duty; provided [such] the actions described in subparagraphs (A) to (F), inclusive, of this subdivision arise out of the discharge of the duties or within the scope of employment of such officers or employees, [For the purposes of this section, members or employees] and (2) "state employee" includes a member or employee of the soil and water district boards established pursuant to section 22a-315. [shall be considered state employees.]

Approved June 2, 2005